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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA

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7 CHARLES W. LOGAN,  
8 Plaintiff,  
9 v.  
10 STATE FARM,  
11 Defendant.

Case No. [4:17-cv-03031-KAW](#)

**ORDER DISMISSING FIRST  
AMENDED COMPLAINT WITH  
LEAVE TO AMEND; ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE**

Re: Dkt. No. 11

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13 On July 27, 2017, the Court dismissed Plaintiff Charles W. Logan's original complaint  
14 with leave to amend pursuant to 28 U.S.C. § 1915(e)(2), as he failed to state a claim upon which  
15 relief may be granted. (Dkt. No. 9.) On August 14, 2017, Plaintiff filed a first amended complaint,  
16 which suffers from the same deficiencies as the original complaint. (First Am. Compl., "FAC,"  
17 Dkt. No. 11.) Specifically, it is unclear from the facts alleged how the district court has  
18 jurisdiction over the subject matter, particularly given that the attachments imply that the case  
19 stems from a car accident. It is also unclear who the defendants are, aside from State Farm, and  
20 which claims are alleged against them.

21 In light of the foregoing, pursuant to its authority under 28 U.S.C. § 1915(e)(2), the Court  
22 dismisses Plaintiff's first amended complaint with leave to amend. Plaintiff shall file the second  
23 amended complaint no later than **October 6, 2017** or the case may be dismissed with prejudice.  
24 Plaintiff is asked to restrict the facts in the second amended complaint to the car accident, and  
25 refrain from general allegations of a government conspiracy.

26 In amending his complaint, Plaintiff is again referred to the Federal Pro Bono Project's  
27 Help Desk for assistance—a free service for pro se litigants—by calling (415) 782-8982 to make  
28 an appointment. While the Help Desk cannot represent Plaintiff, a licensed attorney may assist

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1 him with determining which claims are potentially actionable, as well as how to properly format  
2 the second amended complaint so that the causes of action are properly pled. Appointments are  
3 available at the San Francisco and Oakland courthouses. Plaintiff is advised that the failure to  
4 state a claim in the second amended complaint may result in the entire case being dismissed.

5 Additionally, the case management conference noticed for October 17, 2017 is continued  
6 to **November 14, 2017** at 1:30 p.m. in Courtroom 4, 1301 Clay Street, Oakland, California. The  
7 case management conference statement is due by **November 7, 2017**.

8 IT IS SO ORDERED.

9 Dated: September 14, 2017

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KANDIS A. WESTMORE  
11 United States Magistrate Judge